

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

DUSTIN BROOKS,)	
)	
Plaintiff,)	
)	No. 1:15-cv-00068
v.)	
)	Judge Sharp
DOUGLAS MONROE and)	Magistrate Judge Holmes
CHASSE HARRIS,)	
)	
Defendants.)	

ORDER

Plaintiff Dustin Brooks, who was previously confined at the Maury County Jail (“the Jail”), filed a civil rights complaint pursuant to 42 U.S.C. § 1983 alleging violations of his rights under the Eighth Amendment. Plaintiff’s claims stem from an incident in his cell with Defendant Douglas Monroe. Plaintiff claims that Defendant Monroe used unnecessary force on him after they exchanged heated words and that Defendant Chassie Harris, a nurse at the Jail, then denied him proper medical treatment.

Defendant Monroe has filed a Motion to Dismiss, (Docket No. 13), and a Motion for Summary Judgment, (Docket No. 28), and Defendant Harris has filed a Motion for Summary Judgment, (Docket No. 21). Plaintiff has not responded to any of the aforementioned motions or otherwise participated in the litigation since filing his initial complaint. Indeed, efforts to send Plaintiff court documents have failed as of recent, indicating that Plaintiff is no longer confined at the Jail but has failed to keep the Court apprised of his current address.

Magistrate Judge Holmes has issued a Report and Recommendation (“R & R”) (Docket No. 42) in which she recommends that Defendant Monroe’s Motion to Dismiss and both Defendants’ Motions for Summary Judgment be granted and this case dismissed with prejudice.

Magistrate Judge Holmes points out that Plaintiff has not provided any evidence to support his claims. On the other side of the ledger, Defendants have submitted declarations and documentary proof that Plaintiff was not subjected to excessive force and received adequate medical care.

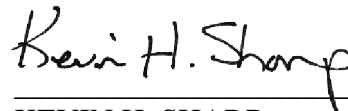
Despite being advised that any objection needed to be filed within fourteen days, Plaintiff has filed none. Having considered the matter de novo as required by Rule 72 of the Federal Rules of Civil Procedure, the Court agrees with the recommended disposition.

Accordingly, the Court hereby rules as follows:

- 1) The Report and Recommendation (Docket No. 42) is ACCEPTED and APPROVED;
- 2) Defendant Monroe's Motion to Dismiss (Docket No. 13) and Motion for Summary Judgment (Docket No. 28) are GRANTED;
- 3) Defendant Harris's Motion for Summary Judgment (Docket No. 21) is GRANTED;
- 4) This case is DISMISSED WITH PREJUDICE; and
- 5) The Court certifies that any appeal would not be taken in good faith. See 28 U.S.C. § 1915(a)(3).

The Clerk of the Court shall enter judgment in accordance with Rule 58 of the Federal Rules of Civil Procedure.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE